

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1507 OF 2002

IN

SUIT NO.1689 OF 2002

TELCO .. Plaintiffs

Vs.

Bhaiyalal S.Jaiswal and Ors. .. Defendants

Mr.Gaurav Joshi a/w Avinash Joshi i/b Mulla and
Mulla for the plaintiffs

Mr.L.H.Patil for the defendants

CORAM : S.U.KAMDAR, J
DATED : 25TH AUGUST, 2005

P.C.:

. The present motion is taken out for appointment of Receiver in respect of Vehicle Regn.No.MP23 PA 2435, Model LPT 1612/42, Chassis No.360324 MTO 743524, Engine no.697D23 MTO 838275. The only defence raised by the defendant is that the vehicle is already been handed back to the plaintiffs. However, the plaintiffs have filed affidavit and stated that after repossession of the vehicle, vehicle was released back to the

defendant. In that view of the matter, Court Receiver is appointed as Receiver of the said vehicle. In so far as merits of the matter is concerned, there is no defence. There is a hire purchase agreement and the defendant has committed defaults in making payments of the instalments. In view thereof, motion is made absolute in terms of prayer clause (a). However, till the Court Receiver takes possession there shall be an interim order in terms of prayer clause (b). Motion disposed of accordingly.